

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
07/09/2002

07/02/2002

CLERK OF THE COURT
FORM D000A

HONORABLE A. CRAIG BLAKEY II

J. Matlack
Deputy

DR 1994-014349

IN RE THE MATTER OF
SUZANNE DACIER

FILED: _____

SUZANNE DACIER
1431 W UTOPIA
PHOENIX AZ 85027

AND

EDWARD MELENDY III

SCOTT L PATTERSON

ANGELA M HURTADO
EXPEDITED SERVICES-CCC
PARENTING SKILLS PROGRAM
TASC - PHOENIX
PATRICIA BURROW
EMPACT
4425 W OLIVE
GLENDALE AZ 85302

MINUTE ENTRY

9:03 a.m. This is the time set for Status Conference. Petitioner is present on her own behalf. Respondent is present with above-named counsel, Scott L. Patterson.

A digital audio recording of this proceeding is being made by the "For the Record" recording system in lieu of a court reporter.

Status of the case is discussed.

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Suzanne Dacier and Edward Melendy are sworn and testify.

Melody Melendy is sworn and testifies.

Based upon the evidence and testimony presented,

IT IS ORDERED denying Petitioner/Mother's Motion to Vacate Drug Testing.

IT IS ORDERED that Petitioner/Mother shall continue weekly random drug testing through TASC beginning today and continuing through September 17, 2002.

IT IS FURTHER ORDERED that TASC shall provide an accumulative drug testing summary report to the Court before the date and time of the hearing set herein.

IT IS FURTHER ORDERED that Petitioner's Mother has agreed in open court today to pay for all drug testing. Petitioner shall then reimburse her Mother directly for those tests.

IT IS FURTHER ORDERED that when Petitioner/Mother has had four consecutive negative drug tests she shall immediately notify counsel, Mr. Patterson, and this Court. Mr. Patterson shall then immediately contact this Court for the scheduling of a status conference with Petitioner/Mother and the Court regarding the suspension of the order for drug testing.

IT IS FURTHER ORDERED:

1. Petitioner/Mother shall appear in person at TASC, Inc. at 2234 North 7th Street, Phoenix, at 423 N. Country Club Drive, Suite 19, in Mesa, or at 5955 W. Myrtle Avenue, Suites 2-4, Glendale (before 6:00 p.m. on July 2, 2002);

2. Petitioner/Mother shall present to TASC the Court Ordered Substance Abuse Testing form issued by this Court, and shall provide all information necessary for its completion;

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3. Petitioner/Mother shall provide such samples as are reasonably required by TASC to comply with this Order. Petitioner/Mother shall submit to the Screen A drug test (full spectrum of drugs including alcohol).

4. Petitioner/Mother shall sign, execute and deliver such forms of consent and authorization as shall be reasonably required by TASC to comply with this Order;

5. The results of said testing shall be reported directly to this Court in writing by TASC, with copies provided to counsel for both parties, or directly to the parties, if unrepresented;

6. Petitioner/Mother shall report for subsequent testing as directed by TASC, and shall present a photo I.D. at time of testing, along with any prescription medications currently being taken;

7. Petitioner/Mother shall pay the costs of her own testing IN CASH, MONEY ORDER, OR CASHIER'S CHECK at the time of testing.

(PLEASE NOTE: In the event that the Court directs one party to pay for the other party's testing, TASC recommends that the details of this arrangement be either directed by the Court or worked out between the parties or their counsel as soon as possible. TASC will not accept pre-payment, and it is often logistically impossible (not to mention, inadvisable) to get the two parties together at one of our offices.)

8. All parties are advised that the failure, neglect or refusal to participate in testing may be considered an admission by the party that the testing, if conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of the child(ren); failure to submit to a drug test, absent good cause shown, may result in a

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finding of Contempt of Court, incarceration in the Maricopa County Jail, issuance of a Civil Arrest Warrant or other sanctions by the Court;

9. The parties are also advised that a diluted test specimen may be considered an attempt to conceal the presence of illicit drugs, which finding is contrary to the best interest of the child(ren);

10. Petitioner/Mother shall be randomly tested NOT LESS THAN ONCE A WEEK, commencing on July 2, 2002 and continuing through September 17, 2002 or until further order of this Court;

11. The parties are hereby advised that test results ARE NOT confidential.

12. To accomplish an authorized change in testing frequency, as outlined above, Petitioner/Mother shall contact the Superior Court Liaison at TASC, at (602) 254-7328 ext. 151, to receive information relating to this change;

ISSUED: Court Ordered Substance Abuse Testing.

With respect to the issue of parenting time,

IT IS ORDERED referring this matter to Expedited Services for supervised parenting time for Mother. Mother shall have supervised parenting time with the children every Saturday for one hour between the hours of 10:00 a.m. and 12:00 noon. If Expedited Services cannot conduct the supervised parenting time on Saturday, then the parenting time shall be every Wednesday between the hours of 3:00 p.m. and 5:00 p.m.

IT IS FURTHER ORDERED that if Expedited Services cannot provide this assistance, then Petitioner/Mother shall contact Parenting Skills directly at (602) 967-6895 to schedule her one hour supervised parenting time.

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IT IS FURTHER ORDERED that the parties shall comply with all orders and instructions of Expedited Services.

With respect to Petitioner/Mother's therapy,

THE COURT FINDS that at the last hearing on April 9, 2002, Petitioner/Mother had knowingly and voluntarily waived any privilege that she had with respect to her therapy with Patricia Burrow and that it was ordered allowing counsel for Respondent to contact Ms. Burrow directly to obtain the information necessary to get therapeutic parenting time started through Ms. Burrow.

The Court directs counsel for Respondent/Father to submit any release form directly to Petitioner/Mother to sign and return to him so that he may obtain the information necessary from Ms. Burrow regarding Petitioner's therapy.

IT IS ORDERED that, at the hearing set forth below, Patricia Burrow shall provide to the Court a report, either in person or telephonically, regarding Petitioner/Mother's therapy and/or treatment.

Pursuant to agreement of the parties,

IT IS FURTHER ORDERED allowing Patricia Burrow to appear telephonically at the hearing by calling this division at **(602) 506-7806** at the designated (Arizona) time.

IT IS ORDERED setting Evidentiary Hearing in this matter on **September 18, 2002 at 2:00 p.m.** in this division (time allocated: 30 minutes; presumptive time allocation: 15 minutes per side).

Issues to be heard:

1. **Child support and calculation of child support arrearages**

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**2. Recommendations made by Ms. Burrow and the
information provided on the TASC summary report**

LET THE RECORD REFLECT that it being determined that the Attorney General's Office has an open IV-D child support case in the above referenced cause number,

IT IS ORDERED endorsing Assistant Attorney General, Angela Hurtado, so that the State may make an appearance in this matter to determine if any monies are owed to the State.

IT IS FURTHER ORDERED all discovery shall be completed fourteen (14) days before the evidentiary hearing set herein.

IT IS FURTHER ORDERED that each party shall exchange his or her exhibits and witness lists for the hearing with the other party not later than five business days before the hearing.

Exhibits

IT IS FURTHER ORDERED that both sides **shall** hand-deliver to the Clerk of this Division all exhibits to be used at the hearing **at least 2 days prior to the hearing**. Exhibits shall be accompanied with a numbered list of each exhibit and shall be separated with a blank sheet of paper. All hearing exhibits shall have been exchanged prior to that time. No duplicate exhibits shall be presented for marking. If either party fails to comply with the steps for marking exhibits, that party's exhibits will be precluded from being marked at the hearing.

NOTE: All Court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

9:43 a.m. Hearing concludes.